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REPORT OF THE UNITED NATIONS VISITING MISSION TO OBSERVE THE PLEBISCITE IN PALAU, TRUST TERRITORY OF THE PACIFIC ISLANDS, FEBRUARY 1990

TRUSTEESHIP COUNCIL

OFFICIAL RECORDS: FIFTY-SEVENTH SESSION

(May-June 1990)

SUPPLEMENT No. 1

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NOTE

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LETTER OF TRANSMITTAL

1 March 1990

Sir,

I have the honour to transmit herewith, in accordance with Trusteeship Council resolution 2192 (S-XX) of 8 January 1990 and rule 98 of the rules of procedure of the Council, the report of the United Nations Visiting Mission to Observe the Plebiscite in Palau, Trust Territory of the Pacific Islands, February 1990.

The members of the Mission would like to express their sincerest appreciation to all who assisted them in carrying out their task. They wish, in particular, to thank the Honourable Ngiratkel Etpison, President of Palau, the Honourable Kuniwo Nakamura, Vice-President of Palau and Chairman of the Political Education Committee, Mr. Yoich Kohama, Chairman of the Palau Election Commission, the members of the Election Commission and the Chairman and members of the Counting and Tabulation Committee. They wish to express their gratitude for the courtesy and co-operation extended to them by the Chief Justice of Palau, the Honourable Mamoru Nakamura and the members of the Olbiil Era Kelulau (Palau National Congress). The members of the Mission would also like to express their appreciation for the co-operation extended to them by the representatives of the Administering Authority, Mr. Robert Grey, Mr. Samuel McPhetres and Mr. Stephen Pruitt.

Most importantly, the members of the Mission would like to thank the people of Palau for their friendship and kindness during the Mission's stay in the islands. The Mission members wish them a peaceful and prosperous future.

This report is subscribed to unanimously by the members of the Mission.

Accept, Sir, the assurances of my highest consideration.

(Signed) Louis AMIGUES
Chairman
United Nations Visiting Mission
to Observe the Plebiscite in Palau,
Trust Territory of the Pacific Islands
February 1990

His Excellency
Mr. Javier Pérez de Cuéllar
Secretary-General
United Nations
New York, N.Y. 10017

CHAPTER I

TERMS OF REFERENCE AND COMPOSITION OF THE VISITING MISSION

1. At its twentieth special session, held on 8 January 1990, the Trusteeship Council had before it a letter dated 19 December 1989 from the Permanent Representative of the United States of America to the United Nations, addressed to the Secretary-General (T/1940), containing a request for a special session of the Council to consider the dispatch of a visiting mission to observe a plebiscite in Palau on the Compact of Free Association, to be held on 6 February 1990.

2. At its 1673rd meeting, on 8 January 1990, the Trusteeship Council adopted resolution 2192 (S-XX) by 4 votes to 1. By that resolution, it decided to send a visiting mission to observe the plebiscite in Palau. The Mission was to begin on or about 29 January 1990 and to end as soon as practicable after the declaration of the results of the plebiscite. The Council further decided that the Visiting Mission to Palau should be composed of five members, the members to be representatives of China, Fiji, France, Papua New Guinea and the United Kingdom of Great Britain and Northern Ireland. The Council directed the Mission to observe the plebiscite, specifically the polling arrangements, the casting of votes, the closure of voting, the counting of ballots and the declaration of results. The Council requested the Mission to submit to it as soon as practicable a report on its observations of the plebiscite, containing such conclusions and recommendations as it might wish to make.

3. After holding the necessary consultations with members of the Trusteeship Council and the Administering Authority, the following were designated as members of the Mission:

Mr. Louis Amigues (France) (Chairman)

Mr. J. Stephen Smith (United Kingdom) (Vice-Chairman)

Mr. Lu Yongshou (China)

Mr. Isikia Rabici Savua (Fiji)

Mr. Samuel Pulup (Papua New Guinea)

4. The Mission was accompanied by the following members of the United Nations Secretariat: Mr. Wilfrid De Souza, Principal Secretary; Mr. Ozdinch Mustafa, Senior Political Affairs Officer; Ms. Lesley Wilkinson, Political Affairs Officer; and Mrs. Patricia Jiménez-Pérez, Administrative Officer and Secretary. The Mission was escorted in Palau by Mr. Robert Grey of the United States Mission to the United Nations, and Mr. Samuel McPhetres of the Office of Transition, the Trust Territory of the Pacific Islands.

CHAPTER II

PALAU AND THE COMPACT OF FREE ASSOCIATION

5. Palau is part of the United Nations Trust Territory of the Pacific Islands. The report of the United Nations Visiting Mission to Palau in 1989 1/ contains relevant background information on Palau and on the Compact of Free Association. It also contains a brief account of the referendums on the Compact held in Palau since 1982.

CHAPTER III

BACKGROUND AND PURPOSE OF THE 6 JANUARY PLEBISCITE

6. Mr. Ngiratkel Etpison was elected President of Palau on 2 November 1988. In February 1989, the leadership of Palau formed the Commission on Future Palau/United States Relations with Mr. Kuniwo Nakamura, Vice-President of Palau, as Chairman. The Commission was charged with the responsibility of addressing and negotiating for the improvement of the future relationship between the United States and Palau. Its members were drawn from a cross-section of the traditional and elected leadership of Palau. President Etpison had told the United Nations Visiting Mission to Palau in 1989 that he had delegated the responsibility for Palau's future political status to the Commission.

7. The Commission held a series of negotiations with the United States authorities in the early part of 1989. The discussions culminated in the signature in Guam on 26 May 1989 of the Agreement concerning Special Programs related to the Entry into Force of the Compact of Free Association between the Government of the United States and the Government of the Republic of Palau (the "Guam Accord") (see annex IX (1)). The Agreement provided for the extension of certain additional assistance by the United States to Palau. It also addressed certain concerns raised by the Government of Palau with regard to the implementation of the Compact and its subsidiary agreements.

8. In the conclusions and recommendations it adopted at its 1671st meeting, on 1 June 1989, the Trusteeship Council welcomed the signature of the Guam Accord and expressed the hope that the Agreement would help to achieve an early completion of the process of approval of the Compact of Free Association, in accordance with the wishes of the people of Palau.

9. On 21 August 1989, the President of Palau signed Republic of Palau Public Law (RPPL) No. 3-10 (see annex II). This provided for the holding of a referendum on the Compact and its subsidiary agreements in the first six months of 1990. In Executive Order No. 84 (see annex IV) issued on 24 November 1989, the President set 6 February 1990 as the date of the plebiscite.

10. On 24 January 1990, the President of Palau signed RPPL No. 3-24 (see annex III), which amended RPPL No. 3-10. RPPL No. 3-24 was intended to refine the terms of the referendum. It also contained provisions that would enable Palauans living overseas to have easier access to the polls and that would appropriate additional funds to encourage voter participation. In Executive Order No. 90 (see annex V) issued on 31 January 1990, the President set Sunday, 4 February 1990, as the voting date in overseas voting locations.

11. The Assistant Secretary, Territorial and International Affairs, United States Department of the Interior, concurred with the passage into Palauan law of section 1, subsections (1) to (5) and section 1, subsections (6) and (7) of RPPL No. 3-24, on 29 and 31 January 1990, respectively (see annex IX, (2)).

12. On 12 December 1989, the President of the United States signed into law House Joint Resolution 175 of the United States Congress (United States Public Law 101-219) (see annex IX, (3)). This authorized the entry into force of the Compact of Free Association between the United States and Palau, subject to approval by the people of Palau.

CHAPTER IV

ACTIVITIES OF THE VISITING MISSION

13. The Mission was in Palau from 31 January to 10 February 1990. It carried out an extensive programme of visits and meetings throughout the islands. It met the President, the Vice-President/Chairman of the Political Education Committee, Members of the Olbiil Era Kelulau (Palau National Congress), the Chief Justice, the Chairman and members of the Palau Election Commission and traditional leaders.

14. The Mission held 13 public meetings at which its members explained in detail the purpose and role of the Mission. It held lengthy discussions with many Palauans, answering their questions and eliciting their views. The Mission also held meetings with groups opposed to the Compact and made itself available to any individuals or groups who wished to meet with it. Those meetings and discussions provided the Mission with valuable first-hand information on the preparations for the plebiscite. In preparing its report, the Mission took fully into account the views expressed to it by the people of Palau.

15. On the Mission's arrival in Palau, the Chairman broadcast a speech to the people of Palau outlining the mandate and role of the Mission (see annex I). That message was broadcast on television and was aired repeatedly on radio in both English and Palauan during the Mission's stay in the islands.

16. In the following days, the Mission visited all the main population centres by boat, car and aeroplane. It held meetings with Governors, community leaders and the general public. On several occasions, Mission members divided into teams to cover the widest possible areas.

17. On the date of the plebiscite, the Mission visited at least once most of the polling stations scattered throughout the islands.

CHAPTER V

POLITICAL EDUCATION PROGRAMME

18. Over the years, the Trusteeship Council has consistently emphasized the importance of effective programmes of political education to ensure that the people of the Trust Territory are fully aware of the options available to them in exercise of their right to self-determination, in accordance with the Charter of the United Nations. RPPL No. 3-10 (see annex II) provided for the establishment of a Political Education Committee composed of the same members as the Commission on Future Palau/United States Relations (see annex IX, (4)). Like the Commission, the Political Education Committee therefore represented a broad spectrum of Palauan public opinion.

19. RPPL No. 3-10 mandated the Political Education Committee to inform and educate the people of Palau in an impartial manner on the contents of the Compact of Free Association and its subsidiary agreements, as well as on relevant United States legislation.

20. The political education programme had been carried out by the time the Mission arrived in Palau. The Chairman of the Political Education Committee, however, briefed the Mission on the programme. The Mission discussed the issue at many of its meetings.

21. The Mission was informed that members of the Political Education Committee had visited all parts of Palau, as well as Palauan communities overseas. At the Mission's public meetings, the Mission members asked participants for their views on the presentations made by the Political Education Committee. The general view was that the political education programme had been conducted in a factual and unbiased manner. This was acknowledged even by opponents of the Compact, although some claimed that Committee members had given more attention to the benefits of the Compat than to what they regarded as its drawbacks. Some also complained that Committee members had focused excessively on the provisions of the Guam Accord.

22. Copies of the Compact, the earlier subsidiary agreements, and of the Guam Accord were freely available in both English and Palauan. Copies of all the political education material were made available to the Mission (see annex IX, (5)).

23. It was evident that there was some confusion in the minds of certain voters about the precise status of the Guam Accord under Palauan and United States law. Some voters were uncertain as to whether the Guam Accord was one of the subsidiary agreements referred to in the question on the ballot. The Vice-President of Palau, who was also the Chairman of the Political Education Committee, took steps to clarify the matter in a newspaper article (see annex IX, (6)) published the day before the plebiscite.

CHAPTER VI

THE POLITICAL CAMPAIGN

24. This was the seventh plebiscite on the Compact of Free Association. The Mission found on the part of the electorate, evident weariness at being asked to give their views yet again and some indifference as to the outcome of the plebiscite. Most of those to whom the Mission spoke, including proponents and opponents of the Compact, described the political campaign as low key. The President of Palau told the Mission that one of his major priorities had been to introduce an atmosphere of peace and calm in Palau. He wished to make certain that the Palauan people would be able to vote freely and to make up their own minds without intimidation or coercion.

25. The Mission encountered little evidence of active campaigning by either side. It saw only a few campaign posters and slogans. The most commonly seen poster was one published by the Palau Election Commission urging voters to exercise their right to vote. The Mission paid particular attention to the question of access to the media. According to the Vice-President and the members of the Senate, all sides had free access to the media. In practice, radio and television appeared to have been little used, except towards the end of the campaign, and then only to a certain extent.

26. During the Mission's stay, the President of Palau held a number of public meetings in several states at which he was reported to have encouraged voters to support the Compact. He issued a public message to that effect addressed to voters in Palau and overseas (see annex VII).

27. The President's message also referred to the fact that the unified leadership of Palau, consisting of the members of the Council of Chiefs, State Governors and Speakers, members of the Olbiil Era Kelulau, leaders of states' private organizations and the Executive Branch of the Palauan Government, had pledged their individual and collective support for the approval of the Compact (see annex IX, (7)).

28. A number of Palauans, notably opponents of the Compact, expressed frustration at the position adopted by the leadership, which some felt was not in the best interests of Palau. Some also referred to the social pressures experienced by individual Palauans in a society where the leadership has traditionally determined the views of the group.

29. The only specific complaint about the campaign brought to the Mission's attention came from a teacher who claimed that a teachers' meeting had been used by government officials to campaign for the Compact.

CHAPTER VII

OTHER ISSUES

30. The main issues raised by the Mission's interlocutors reflected concern about Palau's economic and social development, about the continuance of United States federal assistance to Palau, and about Palau's future should the Compact not be approved. Some Compact opponents also expressed concern over the possible compulsory purchase of land for military purposes and the protection of Palau's natural environment. One group raised the nuclear issue in this connection.

31. Many Palauans asked about the future role of the Trusteeship Council should the Compact not be approved. Many also expressed their hope for greater United Nations involvement. The Mission assured questioners that the Council would continue to carry out its responsibilities towards Palau as long as the Trusteeship Agreement 2/ remained in force. In this connection, the Mission also recalled the assurances given at recent sessions of the Trusteeship Council by representatives of the Administering Authority that the United States would continue to fulfil its obligations under the United Nations Charter and the Trusteeship Agreement.

CHAPTER VIII

THE POLL

32. The poll was conducted on the basis of RPPL No. 3-10 (see annex II), as amended by RPPL No. 3-24 (see annex III), and the rules and regulations for the referendum issued on 29 January 1990 (see annex IX, (8)). As in recent referendums, Palauans were permitted to vote at any polling place and to register and vote on the spot, if necessary. Arrangements were also made to allow confined voters to vote.

33. On polling day in Palau, the Mission divided into five teams in order to observe the voting process at as many polling stations as possible. Out of a total of 41 polling places, the Mission visited 39 located throughout Koror, Airai, Western, Eastern and Central Babelthuap, Angaur and Peleliu. The Mission was present when the poll opened at 7 a.m. at several polling stations. Many polling stations in Koror and Airai State were visited three or more times in the course of the day.

34. The rules and regulations for the referendum were generally well observed. At least two election officials were present at each polling station. Campaigners were absent from the immediate vicinity. In some cases, poll watchers from the "yes" and "no" groups were present. Arrangements were made to ensure that voters understood the ballot paper and could mark their ballot papers in secret. There was no interference in the voting process.

35. In one instance, the Mission found that although the padlock on the ballot box was closed, it was not securing the box latch. The Mission drew this to the attention of election officials who locked the box properly in the presence of a Mission member.

36. When the voting ended at 7 p.m., members of the Mission were present to observe the closure at the central polling places in Koror.

37. The Mission did not observe the voting outside Palau, which took place on 4 February 1990.

CHAPTER IX

COUNTING AND TABULATION OF VOTES

38. The counting and tabulation of votes began at 9 p.m. on 6 February and continued until 13 February. Members of the Mission were present throughout the process during the Mission's stay in Palau. At the time of the Mission's departure, all boxes had been opened and the votes counted, with the exception of some votes of absentee voters and of new registered voters. The process took place in public. Representatives of groups opposed to the Compact, as well as several outside observers and journalists, were present. A police officer guarded the premises where the counting took place.

39. The process was carried out methodically and with scrupulous attention to detail. It revealed some minor technical errors on the part of polling officials, but otherwise no irregularities. In the most serious case, a set of master keys to one ballot box was given by mistake to polling officials at one polling station, thus making room for possible irregularities. There was no evidence however, that the ballots inside had been tampered with.

40. In contrast to previous practice, the Chairman of the Election Commission was not present throughout the process. This led to some delay in resolving such minor problems as did occur. The counting and tabulation was also held up by the late arrival of certain boxes from outlying polling stations.

CHAPTER X

RESULTS OF THE PLEBISCITE

41. The official results of the plebiscite as communicated to the United States Department of the Interior on 5 March 1990 by President Ngiratkel Etpison are as follows (see annex VIII):

Total registered voters	11,272
Total votes cast	7,747 or 68.7 per cent
Total "yes" votes	4,633 or 60.8 per cent
Total "no" votes	2,988 or 39.2 per cent
Total void Ballots	5
Total blank Ballots	11
Total rejected Ballots	110

42. Thus, of a total of 7,621 valid votes cast, 4,633 or 60.8 per cent, were cast in favour of the Compact, and 2,988 or 39.2 per cent, were cast against. The total of invalid votes (void, blank or rejected ballots) was 126.

CHAPTER XI

CONCLUSIONS

43. The Mission has no doubt that in general, the people of Palau understood the purpose of the plebiscite and the question they were being asked. The people were by now very familiar with the electoral process.

44. Inevitably, not every individual had a full grasp of every detail of the Compact and the related agreements. As mentioned above, some confusion arose about the status of the Guam Accord (see para. 23). But it was clear that Palauans had at least an adequate understanding of the underlying issues and of the implications of the Compact for their future. This was due in part to the Political Education programme, in part to the cumulative effect of previous plebiscites and to the activities of influential leaders on both sides, and in part to the high level of political awareness of the electorate.

45. The political campaign was extremely low key, peaceful and restrained. Both sides had access to the media and to public platforms. There was no evidence of political tension or of attempts at coercion or intimidation. There were no attempts to draw the Visiting Mission into the campaign or to exploit its presence.

46. There was no evidence that the political education campaign had been conducted other than in a fair and unbiased manner and in accordance with RPPL No. 3-10. It appeared to be true that the political education campaign had focused to some extent on the provisions of the Guam Accord. The Mission regarded such a focus as understandable given that the Guam Accord was the principal element introduced since the last plebiscite on the Compact.

47. The announcement shortly before the scheduled referendum that the voting at overseas voting locations would be brought forward by two days raised certain administrative problems which were dealt with satisfactorily. The change of date, from a working day to a weekend, will have made it easier for overseas Palauans to exercise their right to vote. The Palauan authorities took adequate steps to ensure that voters were aware of the new date.

48. The practical arrangements for the poll were handled smoothly and efficiently. In the Mission's view, the poll was conducted in full accordance with the rules and regulations of the plebiscite. The Mission saw no evidence of malpractice or of improper attempts to influence voters. Nor were any such incidents brought to the Mission's attention. Voters were able to cast their votes in secret. All those entitled to vote had ample opportunity to do so.

49. The counting and tabulation of votes was carried out openly and in a methodical and scrupulous manner. Minor technical errors were resolved satisfactorily.

50. The Mission feels bound to note that the debate over the Compact had, to a certain extent, become interwoven with domestic political rivalries and ambitions in Palau. The Mission also noted a degree of disaffection with the electoral

process on the part of many voters. The Mission is not in a position to judge how far such considerations (as opposed to positions on the substance of the Compact) may have affected the outcome of the plebiscite, although they appear to have played some role.

51. The Mission is satisfied that the referendum was conducted freely, fairly and in accordance with the rules, and that the results reflect the freely expressed wishes of the people of Palau.

52. The Mission noted the warm welcome extended to the representative of China by President Etpison and by participants in many of the Mission's meetings. It was the first time China had participated in a United Nations visiting mission to Palau.

Notes

1/ For the report of the United Nations Visiting Mission to Palau, Trust Territory of the Pacific Islands, 1989, see Official Records of the Trusteeship Council, Fifty-sixth Session, Special Supplement No.1 (T/1935).

2/ Trusteeship Agreement for the Trust Territory of the Pacific Islands (United Nations publication, Sales No. 1957.VI.A.1).

Annex I

STATEMENT BY MR. LOUIS AMIGUES, CHAIRMAN OF THE VISITING MISSION, ON 31 JANUARY 1990

My name is Louis Amigues. I am the Chairman of the United Nations Visiting Mission that has come to observe the plebiscite in Palau on 6 February. It is a pleasure for me and my colleagues to be here - some of us have been here before. But this is my first visit and I look forward to meeting as many of you as possible during our stay here. I know I speak for the other members of the Mission when I say how much we appreciate the warm welcome extended to us. There are five of us in the Mission: I am from France, Mr. Lu Yongshou is from China; Mr. Isikia Rabici Savua is from Fiji; Mr. Samuel Pulup is from Papua New Guinea and Mr. Stephen Smith is from the United Kingdom. I am particularly happy that two members of my team come from Pacific countries because these countries are neighbours of yours and understand well the problems of this part of the world. We also have with us from the Secretariat of the United Nations, a team of officers headed by Mr. Wilfrid De Souza, which includes Mr. Ozdinch Mustafa, Miss Lesley Wilkinson and Mrs. Patricia Jiménez-Pérez.

I should like, first of all, to tell you why we have come all the way from New York to Palau. As I am sure many of you are aware, one of the articles of the Charter of the United Nations, namely Article 76 b, is concerned with the promotion of, and I quote "the political, economic, social and educational advancement of the inhabitants of the Trust Territories, and their progressive development towards self-government and independence as may be appropriate to the particular circumstances of each Territory and its peoples and the freely expressed wishes of the peoples concerned ...". In other words, the Charter is concerned to see that those territories put under United Nations trusteeship develop to the point where they can manage their own affairs in the way they want to, and I stress, the way they want to.

As you all know, the United States is the Administering Authority for the Trust Territory of the Pacific Islands and is responsible for ensuring that these objectives are pursued. We are here because last month your Government, supported by the United States, asked the Trusteeship Council, the governing body of the United Nations trusteeship system, to send a mission to Palau to observe the plebiscite on the Compact of Free Association which will take place on Tuesday, 6 February.

So what is our task? We are here to see how the plebiscite is conducted. We have four main duties:

First, we want to be sure that you, the people of Palau, understand what the plebiscite is about and understand the question on which you are being asked to vote.

Secondly, we must satisfy ourselves that all men and women who are entitled to vote have an opportunity to express their views freely in the plebiscite, or if they so wish, not to vote at all.

Thirdly, we must see to it that the ballot is secret and that no one can know how anybody else votes.

Fourthly, we shall be looking at the polling arrangements, the counting of the votes and the declaration of the results, to see whether all these arrangements are fair and in conformity with the election laws.

I must stress that we are not here to organize the plebiscite. That is a matter solely for the Government of Palau. Nor are we here to make judgements about the Compact of Free Association or to advise you which way to vote. That is for you to decide. At the end, after we have seen how the plebiscite was conducted, we will write a report on it for the United Nations.

So how do we do this? Well, for the greater part of our stay, we shall be dividing into teams so as to cover as much of the Territory as possible. The details of our programme will be given over the radio. We shall also be meeting the President, the Vice-President, members of the Congress, as well as the Referendum Commissioner and his staff.

Then, on polling day, we shall be visiting as many of the polling stations as possible to see how the voting is conducted. After that we shall observe the counting of the votes and the tabulating of the ballots. Then we shall make our report to the Trusteeship Council at United Nations Headquarters.

I know that we can count on your co-operation in carrying out this task. I hope that we can meet as many of you, the people of Palau, as possible. To that end, we shall be holding public meetings in as many places as we can to hear what you have to say. We shall also be available to meet any groups or individuals who may wish to see us.

We are very honoured to have been invited to participate in this important occasion in Palau's history. I should like, on behalf of the United Nations, to thank you for your courtesy and friendliness towards us and to send you every good wish for a happy and prosperous future.

Annex II

REPUBLIC OF PALAU PUBLIC LAW NO. 3-10

THIRD OLBIIL ERA KELULAU

Third Regular Session, July 1989

RPPL NO. 3-10
(Intro. as H. B. NO. 3-56-3, HD2, SD3, CD1)

AN ACT

To provide for a referendum on the Compact of Free Association, as executed by the Government of the United States of America and the Government of the Republic of Palau on January 10, 1986, and its related Subsidiary Agreements, subject to the interpretations set forth herein, to establish a time and procedures for the referendum and plebiscite on the Compact of Free Association, to provide for a program of political education on the Compact, and for other purposes.

THE PEOPLE OF PALAU REPRESENTED IN THE OLBIIL ERA KELULAU DO ENACT AS FOLLOWS:

Section 1. Legislative Declarations and Findings. The Olbiil Era Kelulau declares:

(1) That this generation of Palauans must decide the future political status for themselves and for the generations to come.

(2) That Palauans themselves must decide what their own purpose and destiny should be, as the United States defines and clarifies its interests in the Pacific region and in Palau, and as the U.N. Trusteeship Council becomes increasingly unwilling to accept the continuance of political dependency for Palau; and

(3) That a referendum by the people of Palau to decide their future political status must take place before the Trusteeship system governing Palau terminates;

The Olbiil Era Kelulau finds that:

(4) The Palau constitutional requirement inhibiting the use, testing, storing, and disposing of harmful substances within the territorial jurisdiction of Palau remains in effect, and that prior approval of at least 75% or more of the votes cast in a referendum on this specific issue is still required;

The Olbiil Era Kelulau further finds that:

(5) Negotiations leading to the 1986 version of the Compact of Free Association spanned ten years. During this period of time, the broad and comprehensive mandate originally assigned the Palau political status negotiators gradually became narrower as major issues were clarified and as agreements on substantive matters were reached;

(6) The experiences of the past three years (which included physical violence, arson, and deaths) culminating in recent visits to Palau by a United States Congressional delegation, including Secretary of Interior Manuel Lujan Jr. and representatives of various United States military agencies, lent increasing urgency to the question of Palau's future.

(7) Following Palau's new Administration taking office after the general election in November, 1988, preceded by a highly contested vote on the proposed constitutional amendment and the 1987 August referendum on the Compact and its subsidiaries, there appeared signs of a shift in long-standing United States policies;

(8) These changes and shifts in policies have allowed Palau to secure financial assistance and technical cooperation from the United States for programs and services considered most essential but that were not taken into account in the 1986 Compact and its Subsidiary Agreements;

(9) The Agreements and intended undertakings of the United States to provide certain programs and assistance relating to the correction of infrastructure deficiencies, central prison facility improvements, completion of the central health care facility for Palau, assistance as to the electric power facility, drug enforcement, treatment and education programs, assistance for prosecution and audit programs, clarification of United States and Palau obligations in the acquisition of defense sites in Palau, cancellation of outstanding medical obligations incurred by Palau

for treatment in United States Government medical facilities, and other special programs and services point to the need of placing the 1986 Compact and its Subsidiary Agreements, once more, in a referendum of the Palauan voters.

The Olbiil Era Kelulau finds that public interest will best be served by taking the approach set forth by this Act.

Section 2. Purpose. The purpose of this Act is to provide for a referendum and plebiscite on the Compact of Free Association and its Subsidiary Agreements, signed on January 10, 1986, by representatives of the United States and of Palau and to provide for a program of political education to precede such referendum.

Section 3. Interpretations of the Compact of Free Association and Related Subsidiary Agreements. The adoption of the Compact of Free Association by the Republic of Palau and the rights and obligations of the Republic of Palau under such Compact of Free Association and its related Subsidiary Agreements shall be governed by the following interpretations:

(1) All references in the "Agreement Concerning Special Programs Related to the Entry into Force of the Compact of Free Association between the Government of the United States and the Government of the Republic of Palau" executed at Guam on May 26, 1989 ("Subsidiary Agreement") to funds to be provided to the Government of Palau by the Government of the United States "as provided in the laws of the United States", or words to that effect, mean that the Government of the United States is required to include in the budget of the United States and to affirmatively seek and support before the Congress of the United States appropriations of such funds by no later than the relevant times provided in the Subsidiary Agreement.

(2) Wherever in the Subsidiary Agreement there are provisions providing for the submission and review of a plan by the Government of the

United States in regard to the provision of funds to the Government of Palau, such provision of such funds is not conditioned upon the approval of any plan related to such funds by the Government of the United States.

(3) The provision in paragraph (a) of Section 1 of Article II of the Subsidiary Agreement stating that the Government of Palau shall dedicate $5 million to be used for construction or operation and maintenance of a central health care facility does not require a special dedication of funds beyond those funds which may normally be dedicated by the Government of Palau over the fifteen years from the effective date of the Compact for the construction or operation and maintenance of the central health care facility.

(4) United States law enforcement officers operating in the Republic of Palau under Section 4 of Article III of the Subsidiary Agreement shall do so only in accordance with the laws of the Republic of Palau and in cooperation with the law enforcement agencies of the Republic of Palau.

(5) The reference to Section 322(b) of the Compact of Free Association in Section 2 of Article VI of the Subsidiary Agreement means the designation of any defense site other than the Airai Air Field and Malakal Harbor exclusive-use and joint-use defense sites specifically identified in Paragraphs 1(a), 1(b), 2(a), and 2(b) and Tabs 1, 2, and 3 of Annex A of the Agreement referred to in Section 462(h) of the Compact of Free Association.

(6) It is the opinion of the Government of Palau that Section 324 of the Compact of Free Association means that in the exercise within the jurisdiction of the Republic of Palau of its authority and responsibility under Title Three of the Compact of Free Association, the Government of the United States shall not use, test, store or dispose of nuclear, toxic chemical, gas or biological weapons intended for use in warfare as those

terms are defined by the Constitution and laws of the Republic of Palau and the decisions of the Supreme Court of the Republic of Palau, but the Government of the United States has no obligation to either confirm or deny the presence or absence of nuclear capable or nuclear propelled vessels or aircraft within the jurisdiction of the Republic of Palau.

(7) Neither the Government of the United States nor the Government of Palau and no individual has the right under Section 351 of the Compact of Free Association to individually, unilaterally or solely resolve or determine any issues to be resolved under such Section.

(8) The language of Article VI of the Subsidiary Agreement does not require the Government of Palau to presently or at any specific time acquire rights to any land which may be designated as defense sites by the United States other than the acquisition of such rights as may be required for the Government of Palau to fulfill its obligations under Title Three of the Compact of Free Association in a timely manner in accordance with the procedures in Section 2 of Article VI of the Subsidiary Agreement, and no such language prohibits or prevents the Government of Palau from fulfilling its obligations to return land to private ownership in accordance with the Constitution of the Republic of Palau including all privately-owned land presently held by states. Any reference in Article VI of the Subsidiary Agreement to "private land" or "privately owned" land shall be deemed to include all lands held by the state governments of the Republic.

(9) Any fulfillment of the obligation of the Government of Palau to provide private land or privately-owned land to the Government of the United States in accordance with Article II of Title Three of the Compact of Free Association and Article VI of the Subsidiary Agreement shall, notwithstanding the requirements of those provisions, be accomplished in full compliance with the Constitution and laws of the Republic.

(10) Under no circumstances will the Government of Palau be

obligated to provide land other than the identified Airai airfield and Malakal harbor defense sites under Title Three of the Compact of Free Association in the absence of an agreement as provided for by Paragraph 2 of Article VI of the Subsidiary Agreement.

(11) Wherever in the Subsidiary Agreement reference is made to "sympathetically consider", or words to that effect, such words mean that the United States shall consider proposals of the Government of Palau with the highest standard of good faith and shall not arbitrarily or without reason deny or refuse such proposals and that, in the event that the Government of the United States shall not consider proposals of the Government of Palau in accordance with such standards, the Government of Palau shall be entitled to treat the matter as a dispute under Article II of Title Four of the Compact of Free Association.

(12) If the United States does not enter into an appropriate agreement with the Government of Palau as provided in Section 6 of Article VIII of the Subsidiary Agreement by the first anniversary of the effective date of the Compact, then the Government of Palau shall be entitled to declare a dispute to exist which may be pursued pursuant to the provisions of Article II of Title Four of the Compact of Free Association.

Section 4. Date of Referendum and Plebiscite; Proclamation.

(1) The President of the Republic shall issue a proclamation announcing the date of the referendum and plebiscite not less than sixty (60) days before the date on which the referendum and plebiscite will be conducted, such date to be in calendar year 1990 but no later than June 30, 1990.

(2) The President of the Republic of Palau shall concurrently notify the United Nations Trusteeship Council of the date on which the plebiscite and referendum will be conducted and request that the Trusteeship Council send a delegation to the Republic of Palau to observe

the political education and referendum and plebiscite.

Section 5. Form of Ballot. The Election Ballot shall be worded as follows:

Place an 'X' or other mark in one box.

CONDITIONAL UPON THE INTERPRETATIONS SET FORTH IN SECTION 3 OF RPPL NO. 3- , DO YOU APPROVE FREE ASSOCIATION WITH THE UNITED STATES AS SET FORTH IN THE COMPACT OF FREE ASSOCIATION SIGNED ON JANUARY 10, 1986, INCLUSIVE OF ITS SUBSIDIARY AGREEMENTS, INCLUDING ITS SECTION 324, WHEREBY THE GOVERNMENT OF THE UNITED STATES, IN CARRYING OUT ITS SECURITY AND DEFENSE RESPONSIBILITIES UNDER THE COMPACT OF FREE ASSOCIATION, HAS THE RIGHT TO OPERATE NUCLEAR CAPABLE OR NUCLEAR PROPELLED VESSELS AND AIRCRAFT WITHIN THE JURISDICTION OF PALAU?

YES

NO

There shall be no other question or issue on the ballot. The ballot shall be printed in English and Palauan. The Republic of Palau Public Law number assigned to this act shall be inserted on the ballot after "3- ".

For the Compact of Free Association to be approved, the ballot proposal set forth above must receive the approval of not less than three-fourths (3/4) of the valid votes cast.

The Election Commission as established by RPPL No. 2-38 shall conduct the referendum according to this Act and to those provisions of Title 23 ("Elections"), Palau National Code, which are not inconsistent with this Act.

Section 6. Voting Qualifications.

(1) Any citizen of the Republic of Palau entitled to vote in national or state elections may register to vote in the referendum, provided that any such person who is currently registered in the General Voters Registry maintained by the Election Commission in accordance with 23 PNC 1203 et. seq, need not re-register in order to vote in this referendum.

(2) Any person qualified and desiring to vote, but who is not registered, may submit his application for registration to vote in accordance with applicable laws, rules and regulations.

(3) All voting in the referendum authorized by this Act shall be by secret ballot.

Section 7. Rules and Regulations.

(1) The Election Commission shall promulgate such rules and regulations governing the conduct of the referendum as it shall deem necessary. The rules and regulations promulgated by the Election Commission shall be exempt from the provisions of the Administrative Procedures Act of Chapter 1 of Title 6 of the Palau National Code. The rules and regulations shall be designed so as to allow for a fair and impartial referendum wherein the people of the Republic of Palau may choose their future political status. All polling places shall be observed by representatives of the Election Commission. These representatives shall remain with each ballot box from the time that voting begins until the ballots from that box have been counted. Each ballot box shall be sealed with two (2) locks to be provided by the Election Commission. Said locks shall only be removed in the presence of the officially designated ballot counters and tabulators.

(2) Property of the National Government or of the states of the Republic of Palau, including vehicles and communications devices, are only to be used for the plebiscite and referendum pursuant to the approval and

under the authority of the Election Commission.

(3) The Election Commission shall have the authority to establish polling places outside the territorial jurisdiction of Palau.

(4) A voter shall have the right to vote at any polling place without giving advance notice.

(5) Any voter who is present at a place outside the jurisdiction of the Republic of Palau where there is no established polling place may cast his vote by absentee ballot.

(6) Voting by absentee ballot shall be accomplished according to the provisions of 23 PNC Chapter 15, Subchapter 11. However, requests for absentee ballots may be made in writing to the Election Commission no later than the day before the date of the referendum. The absentee ballots shall be mailed or delivered to the Election Commission no later than the established election closing hour of the day of the referendum; provided, however, an absentee ballot, if mailed through the U.S. Postal Service, must be received by the Election Commission no later than seven (7) days after the date of the referendum.

(7) Title 23 ("Elections") of the Palau National Code, or any other laws that are inconsistent or in conflict with the provisions of this Act, including Title 6 ("Administrative Procedure Act") of the Palau National Code are hereby suspended to the extent that they are inconsistent with this Act until the results of the referendum are duly certified by the President of the Republic of Palau, for the purpose of this Act only.

Section 8. Certification of Results.

The Election Commission shall certify the election vote count no later than ten (10) days after the day of the referendum.

Section 9. Political Education Committee.

(1) There is hereby established a Political Education Committee ("the committee") consisting of twenty two (22) members. The Committee

shall be composed of the members of the Commission on Future Palau/U.S. Relations formed pursuant to RPPL No. 3-1. Any vacancy on the Committee shall be filled in the same manner provided in RPPL No. 3-1. "Vacancy" includes a vacancy resulting from death, resignation, incapability to serve by reason of illness, or removal for cause by the appointing authority. Each member of the Committee shall serve until the date of the Referendum, as authorized by this Act. The Committee members shall be compensated at the rate of thirty-five ($35) dollars perdiem, plus actual related expenses.

(2) The Vice President of the Republic of Palau shall serve as Chairman of the Committee ("Chairman"). The Chairman shall call the first meeting of the Committee for the election of the other permanent officers from the general membership of the Committee.

Section 10. Political Education.

The Committee shall conduct, organize, supervise and oversee a political education program on the Compact of Free Association and its Subsidiary Agreements and amendments. The program shall be conducted in a manner aimed at informing and educating the people of the Republic of Palau in an impartial manner as to the contents of the Compact of Free Association and its Subsidiary Agreements including amendments made and legislation passed and to be passed by the United States Congress related thereto, so as to enable the people to make an informed choice in the referendum conducted pursuant to this Act. In doing so, the Committee shall:

(1) Hire such staff as it may deem necessary within the limits of appropriations for the Committee's work;

(2) Translate, print and distribute copies of the amendments added to the Compact, especially the most recent Subsidiary Agreement and explanatory materials, and other legislation and agreements to implement the Compact.

(3) Travel within and outside the Republic; and

(4) Do such other and related things as may be necessary to accomplish its functions.

Section 11. Appropriations. There is hereby authorized to be appropriated and is appropriated the sum of $250,000 from the National Treasury, to carry out the provisions of this Act.

(1) The sum of $100,000 shall be administered by the Election Commission and shall be used exclusively to fund the referendum.

(2) The sum of $150,000 shall be used exclusively to fund political education of the voters.

(3) The Chairman of the Political Education Committee and the Chairman of the Election Commission shall submit reports to the presiding officers of the Olbiil Era Kelulau and to the President of the Republic of Palau not later than ninety (90) days after the referendum, accounting for all sums expended. Any funds authorized and appropriated by this Section and remaining unobligated or unexpended as of thirty (30) days after the referendum shall lapse and revert to the National Treasury.

Section 12. Procedures for Implementation of the Compact of Free Association with the United States. If the Compact of Free Association is approved by the requisite majority of the citizens of Palau in a plebiscite held for such purpose:

(1) Upon receiving the certification of the Election Commissioner to such effect, the President of the Republic of Palau shall immediately certify such results to the President of the United States.

(2) The President of the Republic shall negotiate with the United States and enter into an agreement setting forth the date on which the Compact of Free Association and its related Subsidiary Agreements shall become effective and such other matters as shall be appropriate to bring into effect the Compact of Free Association and its Subsidiary Agreements;

provided, however, that the Compact of Free Association and its related Subsidiary Agreements shall not come into effect unless and until the Government of the United States has enacted into law the provisions of House Joint Resolution No. 175 in substantially the same form as introduced into the 101st United States Congress, and provided, further, that the Compact of Free Association and its Subsidiary Agreements shall come into effect as to the Republic of Palau and the United States on the same date. If House Joint Resolution No. 175 is enacted into law in a form not substantially the same as so introduced, the Compact and its Subsidiary Agreements shall not come into effect except upon the endorsement of House Joint Resolution No. 175 by joint resolution of the Olbiil Era Kelulau.

(3) The provisions of any of the laws, rules or regulations of the Republic notwithstanding, if the Compact of Free Association becomes effective as hereinabove provided, the President of the Republic may enter into or make effective the agreement contemplated under paragraph 3(b) of Article V of the Agreement concerning Special Programs Related to the Entry into Force of the Compact of Free Association between the Government of the United States and the Government of the Republic of Palau, signed at Agana, Guam, on May 26, 1989 (the "Subsidiary Agreement"), and $32 million of the funds provided under paragraph 3(a) of Article V of such Agreement may be used for the purpose of making payment as is provided under the Agreement referred to in paragraph 3(b) of Article V of such Agreement.

Section 13. Future referendum. If the Compact of Free Association and its Subsidiary Agreements should be approved in the referendum provided for by this Act and shall enter into force, there shall, within 30 days of the fifteenth anniversary of the effective date of the Compact, be held a referendum. Such referendum shall be on the issues of the satisfaction of the voters of the Republic with the Compact and their desire to continue or terminate free association with the United States as embodied in the

Compact and its Subsidiary Agreements.

Section 14. Severability. If any provision of this act shall be held invalid, such invalidity shall not affect the other provisions of the act which can be given effect without such invalid provision, and to this extent the provisions of this act are severable.

Section 15. Effective date. This Act shall take effect upon its approval by the President of the Republic of Palau, or upon its becoming law without such approval, except as otherwise provided by law.

PASSED: August 4, 1989

APPROVED ON THIS 21st DAY OF August, 1989.

Ngiratkel Etpison
President of the Republic of Palau

Annex III

REPUBLIC OF PALAU PUBLIC LAW NO. 3-24

Third Olbiil Era Kelulau

Fifth Regular Session, Jan. 1990

RPPL NO. 3-24
(Intro. as SB No. 3-159, SD2, HD3, CD1)

AN ACT

To amend RPPL No. 3-10 to expand the time for voter registration for the upcoming Compact referendum, to define the Compact Subsidiary Agreements, to provide for referendum voting on different dates outside of the Republic, to provide a period for legal challenges to the Compact referendum, to provide procedures for the implementation of the Compact, to provide processes for approval of plans submitted pursuant to the Compact and amendment of the Compact, to authorize and appropriate $100,000 for the purposes of encouraging voter participation in the February 6, 1990 referendum on the Compact of Free Association, to authorize and appropriate $98,000 to fund Palauan participation in the Micronesian Games, and for other purposes.

THE PEOPLE OF PALAU REPRESENTED IN THE OLBIIL ERA KELULAU DO ENACT AS FOLLOWS:

Section 1. Amendments.

(1) Section 1 of RPPL 3-10 is amended by adding the following subsections as follows:

Section 1. Legislative Declarations and Findings. The Olbiil Era Kelulau declares:

....

(10) For the purposes of this Act and the referendum and plebiscite called pursuant to this Act, the term "Subsidiary Agreements" shall mean the following agreements:

(a) Agreement Regarding the Provision of Telecommunication Services by the Government of the United States to Palau Concluded Pursuant to Section 131 of the Compact of Free Association (signed January 10, 1986);

(b) Agreement Regarding the Operation of Telecommunication Services of the Government of the United States in Palau Concluded Pursuant to Section 132 of the Compact of Free Association (signed January 10, 1986);

(c) Agreement on Extradition, Mutual Assistance in Law Enforcement Matters and Penal Sanctions Concluded Pursuant to

Section 175 of the Compact of Free Association (signed January 10, 1986);

(d) Agreement Between the Government of the United States and the Government of Palau Regarding Economic Assistance Concluded Pursuant to Section 211(f) of the Compact of Free Association (signed January 10, 1986);

(e) Agreement Regarding Construction Projects in Palau Concluded Pursuant to Section 212(a) of the Compact of Free Association (signed January 10, 1986);

(f) Federal Programs and Services Agreement Concluded Pursuant to Article II of Title Two and Section 232 of the Compact of Free Association (signed January 10, 1986);

(g) Agreement Concluded Pursuant to Section 234 of the Compact of Free Association (signed January 10, 1986);

(h) Agreement Regarding the Military Use and Operating Rights of the Government of the United States in Palau Concluded Pursuant to Sections 321 and 322 of the Compact of Free Association (signed January 10, 1986);

(i) Status of Forces Agreement Concluded Pursuant to Section 323 of the Compact of Free Association (January 10, 1986);

(j) Agreement Regarding the Jurisdiction and Sovereignty of the Republic of Palau over its Territory and the Living and Non-living Resources of the Sea (signed May 23, 1984);

(k) Agreement Concerning Procedures for the Implementation of United States Economic Assistance, Programs and Services Provided in the Compact of Free Association Between the Government of the United States and the Government of the Republic of Palau (signed December 2, 1987);

(l) Agreement Between the Government of the United States and the Government of Palau Regarding Mutual Assistance in Law Enforcement Matters (pursuant to Section 175 of the Compact of Free Association and Section 101(d) (1)(C) of Pub. L. No. 99-658) (signed December 2, 1987); and

(m) Agreement Concerning Special Programs Related to the Entry into Force of the Compact of Free Association Between the Government of the United States and the Government of the Republic of Palau (signed May 26, 1989).

(11) The Compact of Free Association and its related Subsidiary Agreements should not be permitted to come into effect until all properly filed legal challenges to its ratification and results have been finally and properly resolved and there should be an adequate, but definitive period to allow for any such challenges.

....

(2) Section 4(1) of RPPL No. 3-10 is amended as follows:

Section 4. Date of Referendum and Plebiscite: Proclamation.

(1) The President of the Republic shall issue a proclamation announcing the date of the referendum and plebiscite not less than sixty (60) days before the date on which the referendum and plebiscite will be conducted, such date to be in calendar year 1990 but no later than June 30, 1990. Notwithstanding any other provision of law, the President may, at his discretion and as he see fit, establish separate dates for referendum voting at locations outside of the jurisdiction of the Republic; provided, however, that such dates are no more than four days prior or subsequent to the

date set for referendum voting in the Republic.

(3) Section 6(2) of RPPL No. 3-10 is hereby amended as follows:

Section 6. Voting Qualifications.

....

(2) Any person qualified and desiring to vote, but who is not registered, may submit his application for registration to vote in accordance with, applicable laws, rules and regulations. However, such application may be submitted at any time up to and including the date of the referendum, and any qualified person so submitting such application shall be permitted to cast his vote. Election officials receiving such applications on the date of the Referendum may require proof of identity based on passports and/or other documents. Any decision by the Election Commission permitting or denying voting in the referendum based on an application submitted on the date of the referendum shall be final.

(4) Section 7(1) of RPPL No. 3-10 is amended as follows:

Section 7. Rules and Regulations.

(1) The Election Commission shall promulgate such rules and regulations governing the conduct of the referendum as it shall deem necessary. The rules and regulations promulgated by the Election Commission shall be exempt from the provisions of the Administrative Procedures Act of Chapter 1 of Title 6 of the Palau National Code. The rules and regulations shall be designed so as to allow for a fair and impartial referendum wherein the people of the Republic of Palau may choose their future political status. All polling places shall be observed

by representatives of the Election Commission. These representatives shall remain with each ballot box from the time that voting begins until the ballots from that box have been counted. Each ballot box shall be sealed with two (2) locks to be provided by the Election Commission. Said locks shall only be removed in the presence of the officially designated ballot counters and tabulators. Notwithstanding any other law or regulation, no ballot boxes shall be opened until all polling places both within and outside of the territory of the Republic have closed.

(5) Section 8 of RPPL No. 3-10 is amended as follows:

Section 8. Certification of Results and Period for Challenging Plebiscite or Results.

(1) The Election Commission shall certify the election vote count no later than ten (10) days after the day of the referendum in Palau. The Election Commission shall include the date by which legal challenges must be filed under subsections (2) and (3) of this Section in all documents certifying the election vote count and in all radio announcements of the election vote count issued by the Election Commission.

(2) Notwithstanding 23 PNC 1571 and 1573(a), certification of the results of the referendum and plebiscite by the Election Commission as provided above shall be subject to direct challenge by any citizen of Palau alleging fraud or error committed in the casting, canvassing or return of the votes cast at said election in the Trial Division of the Supreme Court. Causes of action alleging such fraud or error

shall be commenced within ninety (90) days after certification of results by the Election Commission.

(3) All legal challenges alleging causes of action arising from the establishment, administration, results, or constitutionality of the referendum and plebiscite must be brought in the Trial Division of the Republic of Palau within ninety (90) days after certification of results by the Election Commission.

(6) Section 12 of RPPL No. 3-10 is amended as follows:

Section 12. Procedures for Implementation of the Compact of Free Association with the United States. If the Compact of Free Association is approved by the requisite majority of the citizens of Palau in a plebiscite held for such purpose:

(1) Upon receiving the certification of the Election Commission to such effect and upon determining that the limitation periods prescribed by Sections 8(2) and 8(3) of this act have expired, and upon determining that all legal actions properly filed pursuant to Section 8 of this act have been resolved in final judgments of the Trial Division of the Supreme Court of the Republic of Palau, and that any appeals filed as a result of such actions have been resolved by the Appellate Division of the Supreme Court of Palau such that the Election Commission's certification and/or the legality of the referendum has been affirmed, the President of the Republic shall immediately certify such results to the President of the United States.

(2) The President of the Republic shall negotiate with the United States and enter into an agreement setting forth

the date on which the Compact of Free Association and its related Subsidiary Agreements shall become effective and such other matters as shall be appropriate to bring into effect the Compact of Free Association and its Subsidiary Agreements; provided, however, that the Compact of Free Association shall not become effective as to the Republic of Palau if, as of the effective date determined in accordance with this subsection:

(a) the Agreement Concerning Special Programs Related to the Entry into Force of the Compact of Free Association Between the Government of the United States and the Government of the Republic of Palau, signed at Agana, Guam on May 26, 1989, shall not as of such date become effective as to the United States as provided in Section 112 of P.L. 101-219; or

(b) there shall have been enacted into law in the United States, subsequent to January 1, 1990, any amendments to P.L 101-219 or to the Compact of Free Association as set forth in P.L. 99-658 and amended in P.L. 101-219;and provided further that the Compact of Free Association and its Subsidiary Agreements shall come into effect as to the Republic of Palau and the United States on the same date.

(3) The provisions of any of the laws, rules or regulations of the Republic notwithstanding, if the Compact of Free Association becomes effective as hereinabove provided, the President of the Republic may enter into or make effective the agreement contemplated under paragraph 3(b) of Article V of the Agreement Concerning Special Programs Related to the

Entry into Force of the Compact of Free Association between the Government of the United States and the Government of the Republic of Palau, signed at Agana Guam, on May 26, 1989 (the "Subsidiary Agreement"), and $32 million of the funds provided under paragraph 3(a) of Article V of such Agreement is hereby authorized to be appropriated and is appropriated for the purpose of making payment as is, provided under the Agreement referred to in paragraph 3(b) of Article V of such Agreement.

(7) A new Section 13 is added to RPPL No. 3-10, and the existing Section 13 and subsequent sections are renumbered as follows:

Section 13. Amendments to the Compact of Free Association and Subsidiary Agreements; Future Subsidiary Agreements.

(1) Any agreement which would amend, change, or terminate any of the Subsidiary Agreements or which is made pursuant to any provision of the Compact of Free Association, any Subsidiary Agreement, any provision of United States law or any act enacted by the Olbiil Era Kelulau, and any amendment, change or termination thereof, shall take effect only when approved by a joint resolution adopted by the Olbiil Era Kelulau; provided, however, that this provision shall not apply to an agreement entered into by the President of the Republic of Palau as to the effective date of the Compact pursuant to subsection (2) of Section 12 of this Act or the agreement referred to in paragraph 3(b) of Article V of the Agreement Concerning Special Programs Related to the Entry

into Force the Compact of Free Association Between the Government of the United States and the Government of the Republic of Palau, signed at Agana, Guam on May 26, 1989. This subsection shall, however, apply to any plan prepared by the Government of the Republic pursuant to the Compact of Free Association or its Subsidiary Agreements.

(2) Any agreement or plan which would amend, change or terminate the Compact of Free Association after its effective date shall become effective only after its approval in a resolution adopted by each house of the Olbiil Era Kelulau and its approval by the people of Palau in accordance with the Constitution in a referendum and plebiscite called for such purpose pursuant to an act enacted by the Olbiil Era Kelulau.

Section 2. Referendum appropriation. The sum of $100,000 is hereby authorized to be appropriated and is supplementally appropriated for the purposes of encouraging voter participation in the February 6, 1990 referendum on the Compact of Free Association. Such sum shall be administered by the President. The President shall, by no later than March 15, 1990, submit to the presiding officers of the Olbiil Era Kelulau a detailed accounting of all sums expended pursuant to this appropriation.

Section 3. Micronesian Games appropriation; tax refund.

(1) There is hereby authorized and appropriated the sum of $98,000 for the purpose of funding the training and participation of athletes representing the Republic in the Micronesian Games in Saipan in July of 1990. Such appropriation shall be funded from any revenues which the national government may realize which are in excess of those necessary to support all budget activities in the amount set forth in RPPL 3-13 or

from any funds which the President may see fit to reprogram from other budget activities. The disbursement and expenditure of such appropriation shall be administered jointly by the Vice President/Minister of Administration and the Micro Games Committee. The Vice President/Minister of Administration shall, by no later than August 31, 1990, submit to the President and the presiding officers of the Olbiil Era Kelulau a report detailing all expenditures made against the sum appropriated by this act.

(2) Any business or employee, as defined by 40 PNC 1002, which or who files with the Director of the Bureau of National Treasury a verified receipt indicating a financial contribution to the Micro Games Committee or any incorporated sports organization training athletes representing the Republic for the Micro Games shall receive a refund within 90 days of the end of the tax year from the Director in the amount of such contribution; provided, however, that the amount of such refund shall not, when aggregated with any refunds due pursuant to 40 PNC 1104 or 1206, exceed 10 percent of the gross revenue, net income, or wages and salaries tax paid by the business or employee in that year.

Section 4. Effective date. This Act shall take effect upon its approval by the President of the Republic, or upon its becoming law without such approval except as otherwise provided by law, or Secretarial Order of the United States Secretary of the Interior.

PASSED: January 22, 1990

Approved on this 24th day of January, 1990.

Ngiratkel Etpison, President
Republic of Palau

Annex IV

EXECUTIVE ORDER NO. 84

REPUBLIC of PALAU

Office of the President

NGIRATKEL ETPISON
President

P.O. Box 100, Koror, Palau 96940
Phone: 828/403 Telex: 728-8914
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EXECUTIVE ORDER NO. 84

Proclaiming and Setting Forth Tuesday, February 6, 1990 as the Date for the 7th Plebiscite on the Compact of Free Association between the Republic of Palau and the United States of America.

WHEREAS, future political status negotiations with the Government of the United States were commenced in 1969 by Political Status Commission established by the Congress of Micronesia to speak for and on behalf of all the people of the Trust Territory of the Pacific Islands; and

WHEREAS, during ensuing political status negotiations, the former Administrative District of the Northern Marianas opted for and concluded a Commonwealth Covenant with the United States which became the basis for its political status; and

WHEREAS, the other six remaining administrative districts of Palau, Yap, Truk, Pohnpei, Kosrae, and the Marshalls chose to pursue future political status relationship with the United States on the basis of the political status of free association; and

WHEREAS, subsequent to the 1978 Micronesian-wide constitutional referendum whereby the then proposed Constitution for the Federated States of Micronesia was ratified by the voters of Kosrae, Pohnpei, Truk and Yap, but was disapproved by the Palau and the Marshall Islands voters, thereafter Governments of the Republic of Palau, the Republic of the Marshall Islands and the Federated States of Micronesia, bilaterally continued separate future political status discussions with the United States but still under the framework of free association relationship; and

WHEREAS, following overwhelming approval of the Compact of Free Association by the voters of both the Marshall Islands and the Federated States of Micronesia in 1983, the President of the United States on February 20, 1985, transmitted the FSM and Marshalls Compact to the U.S. Congress for consideration and which was subsequently

approved as Public Law 99-239 and with said Compact taking effect in FSM in October and in the Marshalls in November 1986 respectively; and

WHEREAS, authorized by RPPL No. 1-43 and under Proclamation No. 11-82, the First Plebiscite in Palau on the Compact of Free Association was held on February 10, 1983 with the following results:

a) 62% in favor of the Compact,

b) 53% in favor of nuclear subsidiary agreement (which constitutionally required 75% approval vote),

c) 31% in favor of closer association with the United States, and

d) 29% in favor of independence; and

WHEREAS, authorized by RPPL No. 1-60, and pursuant to Executive Order Nos. 25 and 26, the Second Compact Plebiscite was held on September 4, 1984 with the following results:

a) 67% in favor of the Compact of Free Association,

b) 33% in favor of closer association with the United States, and

c) 14% in favor of independence; and

WHEREAS, authorized under RPPL 2-14, the Third Compact Plebiscite was held on February 21, 1986 resulting in a 72% approval vote; and

WHEREAS, following the said Third Compact Plebiscite, and at the request of the President of Palau for the United States to complete its approval process, House Joint Resolution 626 was duly enacted by the United States Congress and signed into U.S. Public Law 99-658 on November 14, 1986; and

WHEREAS, the Compact of Free Association between Palau and the United States has been duly approved by the United States Government in PL 99-658, but with the entry into force of the Compact subject to:

(a) U.S. President certifying to U.S. Congress that the Compact has been duly ratified by Palau

according to its constitutional process; and that U.S. has ability to exercise its security authority and dispense its defense responsibility therein;

(b) U.S. Congress enacting an implementing legislation (i.e. H.J. Res. 175) authorizing entry into force of the Compact; and

(c) certain agreements between the United States and Palau have been duly concluded as required under the Compact; and

WHEREAS, authorized under RPPL No. 2-22 and pursuant to Executive Order Nos. 46 and 47, the Fourth Compact Plebiscite was held in Palau on December 2, 1986 resulting in 66% approval vote; and

WHEREAS, authorized under RPPL No. 2-27, and pursuant to Executive Order Nos. 56, 57 and 58, the Fifth Compact Plebiscite was held on June 30, 1987, and resulting in 68% approval vote; and

WHEREAS, authorized under RPPL No. 2-30, a Constitutional Amendment Referendum was held on August 4, 1987, resulting in 73% affirmative popular vote, and in positive votes by fourteen out of the sixteen states; and

WHEREAS, authorized by RPPL No. 2-30, and pursuant to Executive Order No. 60, the Sixth Compact Plebiscite was held on August 21, 1987 resulting in 73% approval vote; and

WHEREAS, in Civil Action No. 161-87, and affirmed in Civil Appeal No. 8-88, the Supreme Court of the Republic of Palau ruled, among other things, that:

(a) Article XIV, Section 1(c) of the Constitution requires that any legislative proposal for constitutional amendment be approved by three-fourths (75%) vote by members of the Senate and House of Delegates, but RPPL No. 2-30 was passed only by simple majority of both Houses, and was therefore null and void, and

(b) Because the August 4, 1987 Constitutional Amendment was a nullity, approval of the Compact still required 75% instead of simple majority vote to approve and consequently, the 73%

affirmative vote on August 21, 1987 was insufficient to ratify the Compact; and

WHEREAS, on January 16, 1989, the leadership of the Executive and Legislative Branches, elected during the 1988 third constitutional government general elections, issued a unified "POSITION STATEMENT ON THE FUTURE POLITICAL STATUS OF PALAU" proclaiming, among other things, that "Despite repeated failures by the Palau electorate to muster the 75% constitutionally mandated majority approval of the Compact of Free Association, Palau leaders continue to believe that an overwhelming majority of the Palau electorate still favors and supports the concept of a fully constituted and self-governing Palau freely associated with the United States"; and

WHEREAS, pursuant to RPPL No. 3-1, the Commission on Future Palau/United States Relations was created with 22 cross section membership, chaired by the Vice President of the Republic of Palau, and charged with the responsibility to address and negotiate for improvement of the future relationship between the United States and Palau; and

WHEREAS, consistent with its statutory mandate, the Commission on Future Palau/United States Relations concluded and signed on May 26, 1989 with the representative of the Government of the United States the "Agreement Concerning Special Programs Related to the Entry Into Force of the Compact of Free Association Between the Government of the United States and the Government of Palau", and on June 9, 1989, submitted the report of its findings and recommendations to the President of the Republic of Palau, the President of the Senate, and the Speaker of the House of Delegates, Third Olbiil Era Kelulau; and

WHEREAS, on August 21, 1989, RPPL No. 3-10 was approved into law, calling for the Seventh Plebiscite and Referendum on the Compact of Free Association and authorized the President of the Republic of Palau to proclaim the date of said Seventh Compact Plebiscite to take place between January 1st and June 30, 1990; and

WHEREAS, said RPPL No. 3-10 designates the Election Commission as the body to conduct and oversee the Compact plebiscite and to expend $100,000 for such purpose and also established a Political Education Committee consisting of the members of the former Commission on Future Palau/United States Relations to conduct political education programs and to expend $150,000 related thereto;

NOW, THEREFORE, by virtue of the authority vested in me by the Constitution and laws of the Republic of Palau, I do hereby proclaim and order that:

1. The Seventh Plebiscite on the Compact of Free Association with the United States, as signed on January 10, 1986, inclusive of its subsidiary agreements, shall be held on Tuesday, February 6, 1990, both within Palau and at such locations in jurisdictions outside of Palau as may be so designated and established by the Election Commission.

2. Political education programs relating to the subject Seventh Compact Plebiscite shall be carried out by the Political Education Committee in accordance with appropriate provisions of RPPL No. 3-10.

3. Printed in both English and Palauan, and as prescribed under Section 5 of RPPL No. 3-10, the language of the ballot shall be:

> "Place an 'X' or other mark in one box. CONDITIONAL UPON THE INTERPRETATIONS SET FORTH IN SECTION 3 OF RPPL NO. 3-10, DO YOU APPROVE FREE ASSOCIATION WITH THE UNITED STATES AS SET FORTH IN THE COMPACT OF FREE ASSOCIATION SIGNED ON JANUARY 10, 1986, INCLUSIVE OF ITS SUBSIDIARY AGREEMENTS, INCLUDING ITS SECTION 324, WHEREBY THE GOVERNMENT OF THE UNITED STATES, IN CARRYING OUT ITS SECURITY AND DEFENSE RESPONSIBILITIES UNDER THE COMPACT OF FREE ASSOCIATION, HAS THE RIGHT TO OPERATE NUCLEAR CAPABLE OR NUCLEAR PROPELLED VESSELS AND AIRCRAFTS WITHIN THE JURISDICTION OF PALAU?
>
> ☐ YES
>
> ☐ NO"

Executive Order No. 84

IN WITNESS WHEREOF, I have hereunder set my hand and affixed my official seal this 24th day of November, 1989, in the State of Koror, Republic of Palau.

Ngiratkel Etpison
President
Republic of Palau

Annex V

EXECUTIVE ORDER NO. 90

REPUBLIC of PALAU

Office of the President

Ngiratkel Etpison
President

P.O. Box 100, Koror, Palau 96940
Phone: 828/403 Telex: 728-8914

EXECUTIVE ORDER NO. 90

Amending Executive Order No. 84 and Proclaiming February 4, 1990 as the date for voting outside of Palau on the 7th Plebiscite on the Compact of Free Association between the Republic of Palau and the United States of America.

WHEREAS, Section 4 of RPPL No. 3-10 as amended, allows the President to set alternate dates for voting outside of Palau;

WHEREAS, members of the Election Commission should be present at voting locations outside Palau in order to secure a fair election in which all eligible Palauans are given the chance to vote;

WHEREAS, on January 30, 1990 (local time) the President of Palau received notification from the U.S. Assistant Secretary of Interior for Territorial and International Affairs that subsection (1) through (5) of Section I of RPPL 3-24 will not be suspended and therefore have become law in Palau; and

WHEREAS, Executive Order No. 88 was issued January 29, 1990, one day before the above sections of RPPL No. 3-24 became law;

NOW, THEREFORE, by virtue of the authority vested in me by the Constitution and laws of the Republic of Palau, I do hereby proclaim and order as follows:

1. Sunday, February 4, 1990 (local date) in all voting locations in Guam and Saipan.

2. Sunday, February 4, 1990 (local date) in all voting locations in the Hawaii and the continental United States.

3. Tuesday, February 6, 1990 (local time) in all voting locations within the Republic of Palau.

4. Executive Order No. 88 is hereby repealed in its entirety.

IN WITNESS WHEREOF, I have hereunder set my hand and affixed my official seal this 31st day of January, 1990, in the State of Koror, Republic of Palau.

Ngiratkel Etpison
President
Republic of Palau

Annex VI

OFFICIAL BALLOT

REPUBLIC OF PALAU
7TH REFERENDUM
ON THE
COMPACT OF FREE ASSOCIATION
FEBRUARY 6, 1990

CONDITIONAL UPON THE INTERPRETATIONS SET FORTH IN SECTION 3 OF RPPL NO 3-10, DO YOU APPROVE FREE ASSOCIATION WITH THE UNITED STATES AS SET FORTH IN THE COMPACT OF FREE ASSOCIATION SIGNED ON JANUARY 10, 1986, INCLUSIVE OF ITS SUBSIDIARY AGREEMENTS, INCLUDING ITS SECTION 324, WHEREBY THE GOVERNMENT OF THE UNITED STATES, IN CARRYING OUT ITS SECURITY AND DEFENSE RESPONSIBILITIES UNDER THE COMPACT OF FREE ASSOCIATION, HAS THE RIGHT TO OPERATE NUCLEAR CAPABLE OR NUCLEAR PROPELLED VESSELS AND AIRCRAFT WITHIN THE JURISDICTION OF PALAU?

NG MO ULTUIL ERA BELKUL A TEKOI EL ULECHOLT ERA CHELSEL A SECTION 3 ERA RPPL NO 3-10, E KAU KE KONGEI ERA MIMOKL EL DELEUILL (FREE ASSOCIATION) EL OBENGKEL A MERIKEL EL UA SEL ULECHOLT ERA CHELSEL A COMPACT ERA FREE ASSOCIATION EL BLEL SAING ER NGII ERA JANUARY 10, 1986, EL OBENGKEL A MEKEKEREL TELBIIL, EL ULDIMUKL ER NGII A SECTION 324, EL KABELMENT ERA MERIKEL, A BOL LONGEDMOKL A NGERCHELEL ERA ROLEL A OMENGKAR MA OMENGEUAKEL EL OLTIRAKL A NGARA CHELSEL A COMPACT ERA FREE ASSOCIATION, ENG NGARENGII A LLEMELTEL EL ORRAEL A DILLEL MA HIKOKI ER NGII EL OUSBECH A KLISICHEL A KENSI (NUCLEAR) ERA CHELSEL A KERENGSEL ER BELAU?

Place an "X" or other mark in one box.

Mliang a tengetang (X) malechub eng ditara olangch ra chelsel a tal kahol.

YES
CHOI ☐

NO
DIAK ☐

Annex VII

PRESIDENT'S MESSAGE TO ALL PALAUAN CITIZENS

REPUBLIC of PALAU
Office of the President

NGIRATKEL ETPISON
President

P.O. Box 100, Koror, Palau 96940
Phone: 828/403 Telex: 728-4914
Fax: 1662

MESSAGE TO ALL PALAUAN CITIZENS

Fellow Palauans:

Let us welcome the decade of the nineties with a new sense of hope for peace and prosperity for all Palauans at home and those on Guam, CNMI, FSM, and elsewhere in the world. The unified leadership of Palau, consisting of the members of the Council of Chiefs, State Governors and Speakers, members of the Olbiil Era Kelulau, States private organization leaders, and the Executive Branch of our Government, have renewed their commitment to achieve our people's hopes and dreams for the advancement of our nation, for our sovereignty and for a better living standard for our people today and for generations to come. They have pledged their individual and collective support for the approval of the Compact of Free Association between Palau and the United States.

We urge each and every Palauan citizen of voting age to join us in this high and sacred endeavor. We call upon each and every Palauan voter to cast a YES vote for Free Association and for a better Palau.

Ngiratkel Etpison
President
Republic of Palau

Annex VIII

OFFICIAL RESULTS OF THE PLEBISCITE

A. Letter dated 5 March 1990 from the President of Palau addressed to the Assistant Secretary, Territorial and International Affairs, United States Department of the Interior

REPUBLIC of PALAU
Office of the President

NGIRATKEL ETPISON
President

P.O. Box 100, Koror, Palau 96940
Phone: 828/403 Telex: 728-6914
Fax: 1662

March 5, 1990
Serial: 134

The Honorable Stella G. Guerra
Assistant Secretary
Territorial & International Affairs
U.S. Department of the Interior
Office of the Secretary
Washington, D.C. 20240

Dear Madame Secretary:

I am forwarding to you in the enclosure copies of documents from the Palau Election Commissioner certifying the result of the Referendum on the Compact of Free Association held on February 4 and 6, 1990. As indicated in the Election Commissioner's report, the 75% vote requirement for the approval of the Compact was not attained in the recent referendum and, therefore, Palau has not completed its process for the implementation of the Compact.

However, an issue has arisen as to whether "votes cast" in the Compact Referendum includes void, blank or rejected ballots. Courts in the United States has held that "votes cast" are those votes which are legal and our Attorney General has ruled that "illegal votes do not constitute votes and are not to be counted in determining whether or not three fourths of the votes cast in favor...." Catlett v. Knoxville S&E Ry. Co., 112 S.W. 559 (Ten). Blank ballots are not "votes cast". Hicks v. Krigbaum, 108 P. 482 (Ariz.). See also Mueller v. Holter, 194 N.W. 844 (S.D.). Therefore, void, blank and rejected ballots may not be counted in determining the total votes cast. The results of the referendum were 60.8% "yes" votes and 39.2% "no" votes as reported by the Counting and Tabulation Committee and not the figures used by the Election Commission which included "illegal ballots".

We ask that the United States Government formally transmit this result of the referendum to the U.N. Trusteeship Council.

Sincerely yours,

Ngiratkel Etpison

Enclosures

B. Certification of the official results of the plebiscite by members of the Election Commission

REPUBLIC OF PALAU

Office of the Election Commission

P.O. BOX 536, KOROR, REPUBLIC OF PALAU 96940

Phone: 443/343
Cable: Gov't Palau
Telex: (728) 8814

Yoich Kohama
Chairman

Members
Herman Francisco
Louis O Ngemaes
Baudista Rengulbai
Dahlia Katosang

CERTIFICATION
Referendum on Compact of Free Association
held on February 4, and 6, 1990

We, the undersigned members of the Election Commission, hereby certify the following official results of the Referendum held on February 4, and 6, 1990, on Compact of Free Association with the United States of America:

Total Registered Voters	11,040
Total Newly Registered Voters	232
Total Registered Voters	11,272

Breakdown of the Referendum votes follows:

Total Ballots Cast	7,747	68.7%
Total "Yes" Votes	4,633	59.8%
Total "No" Votes	2,988	38.6%
Total Void Ballots	5)	
Total Blank Ballots	11)	1.6%
Total Rejected Ballots	110)	

Certified this 16th day of February 1990 at Koror State, Republic of Palau.

YOICH KOHAMA
CHAIRMAN

HERMAN FRANCISCO
MEMBER

BAUDISTA RENGULBAI
MEMBER

DAHLIA KATOSANG
MEMBER

LOUIS O NGEMAES
MEMBER

C. Letter dated 15 February 1990 from the Committee on Counting and Tabulation addressed to the Election Commissioner, Palau Election Commission

OFFICE OF THE PALAU ELECTION COMMISSION
Koror, Republic of Palau
9 6 9 4 0

7th Referendum on the Compact of Free Association

COUNTING AND TABULATION COMMITTEE

CHAIRMAN
Gilbert U. Demei

VICE CHAIRMAN
Fritz Koshiba

MEMBERS
Barbara Tellei
Cinderella Adachi
Donald Haruo
Francis Meyar
Ignacio Rengulbai
Louis Olkeriil
Marhence Madrangchar
Maria Rehuher
Sandra S. Pierantozzi
Sylvia Tangelbad

February 15, 1990

Mr. Yoich Kohama
Election Commissioner
Palau Election Commission
Koror, Republic of Palau 96940

Dear Mr. Kohama:

The undersigned members of your Counting and Tabulation Committee for the Seventh Referendum on the Compact of Free Association beg leave to report as follows:

Total Registered Voters.....	11,040
Total NRV (Newly Registered Voters).....	232
TOTAL TRV	11,272

Your Committee further reports the breakdown of the votes as follows:

Total Ballots Cast.....	7,747	68.7%
Total "YES" Votes.....	4,633	60.8%
Total "NO" Votes.....	2,988	39.2%
Total Void Ballots.....	5	
Total Blank Ballots.....	11	
Total Rejected Ballots.....	110	

On behalf of your Committee, I wish to express our appreciation to you and members of the Palau Election Commission for your assistance and staff of the Public Affairs for their help.

Thank you for appointing us. We hope that we served the mandate of the Counting and Tabulation Committee to your expectation and satisfaction.

Respectfully Submitted by:

COMMITTEE ON COUNTING AND TABULATION:

Gilbert U. Demei, Chairman

Fritz Koshiba, Vice Chairman

Sylvia M. Tangelbad, Member

Maria Rehuher, Member

Barbara J. Tellei, Member

Sandra S. Pierantozzi, Member

Francis E. Meyar, Member

Ignacio Rengulbai, Member

Cinderella Adachi, Member

Donald Haruo, Member

Louis Olkeriil, Member

Marhence Madrangchar, Member

Annex IX

LIST OF MISCELLANEOUS DOCUMENTS RECEIVED BY THE VISITING MISSION IN PALAU*

1. Agreement concerning Special Programs related to the Entry into Force of the Compact of Free Association between the Government of the United States and the Government of the Republic of Palau

2. Letters dated 29 and 31 January 1990 from the Assistant Secretary, Territorial and International Affairs, United States Department of the Interior, addressed to the President of Palau

3. United States of America Public Law 101-219, Palau Compact of Free Association Implementation Act

4. Membership of the Commission on Future Palau/United States Relations

5. (a) Compact of Free Association

   (b) Subsidiary agreements of the Compact of Free Association

   (c) Instructional pamphlet, Political Education Committee, Republic of Palau, 1989.

6. Article from Pacific Daily News, 5 February 1990

7. Joint leadership declaration of public support for the Compact of Free Association

8. Rules and regulations for the seventh referendum on the Compact of Free Association, 6 February 1990

9. Written communication received by the visiting mission in Angaur State, Palau

* The documents have been placed in the files of the Secretariat and are available to members of the Trusteeship Council for consultation.

Annex X

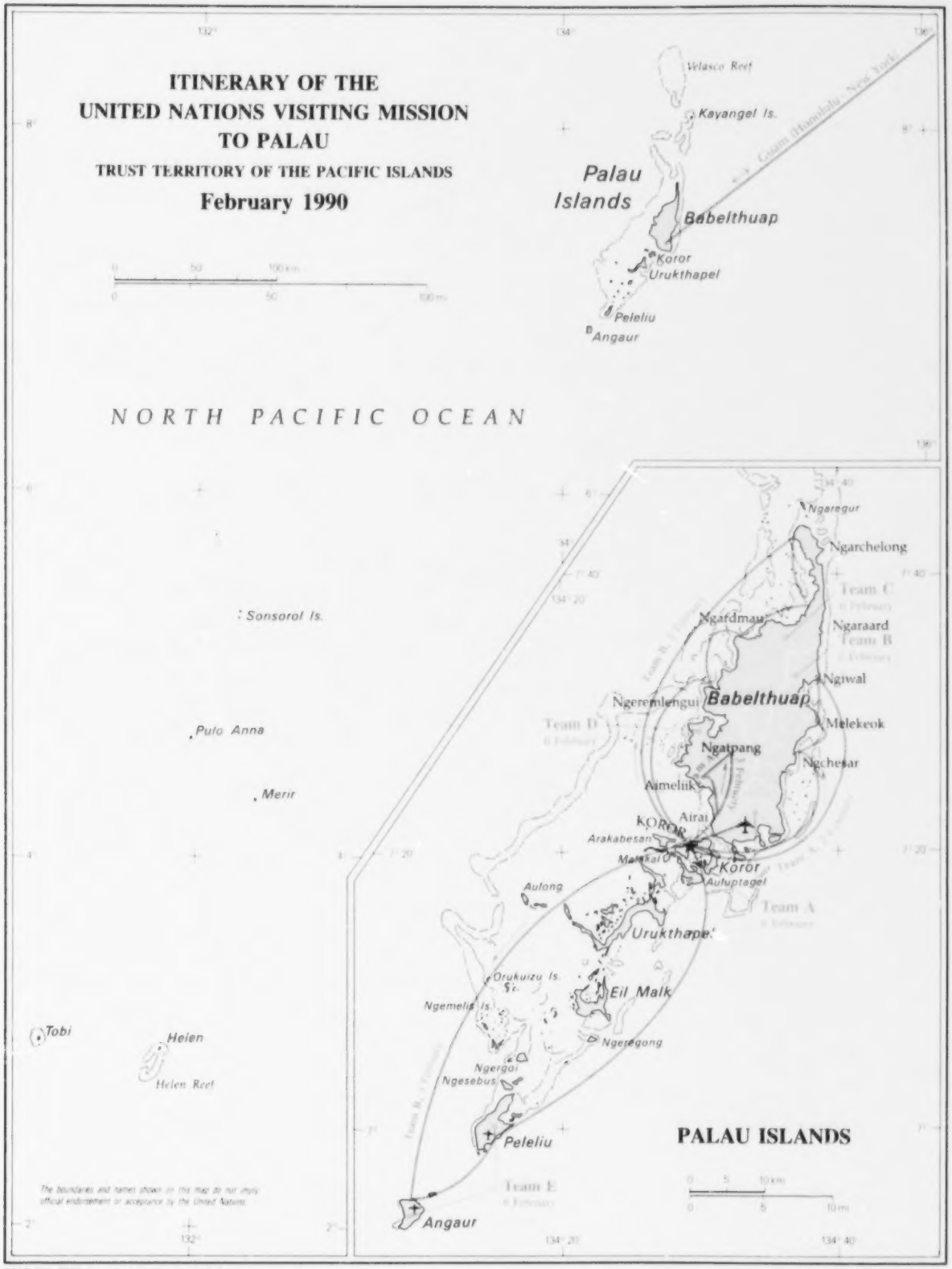
ITINERARY OF THE VISITING MISSION

Date	Place	Activities
29 January 1990	Honolulu	Arrived from New York
30 January		Departed by air for Guam (crossed international date-line)
31 January	Guam	Arrived from Honolulu Departed by air for Palau
	Koror, Palau	Arrived from Guam
1 February	Koror	Paid a courtesy call on the President of Palau
		Met with the Referendum Commissioner and others
		Met with the Vice-President of Palau/Chairman of the Political Education Committee
		Met some members of the Senate, as well as the Speaker and some members of the House of Delegates, Olbiil Era Kelulau (OEK) (National Congress of Palau)
		Met community leaders and the general public in Koror
2 February		The Mission formed two teams: Team A and Team B
		Team A
		Departed by boat for Eastern Babelthuap
	Eastern Babelthuap	
	Ngchesar	Met with community leaders and the general public
	Melekeok	Met with community leaders and the general public
2 February	Ngiwal	Met with community leaders and the general public
		Departed by boat for Koror

Date	Place	Activities
		Team B
		Departed by boat for Western Babelthuap
	Western Babelthuap	
	Ngarchelong	Met with community leaders and the general public
	Ngaraard	Met with community leaders and the general public
	Ngardmau	Met with community leaders and the general public
	Ngeremlengui	Met with community leaders and the general public
		Departed by boat for Koror
3 February		The Mission formed two teams: Team A and Team B
		Team A
	Central Babelthuap	Departed by car for central Babelthuap
	Ngatpang	Met with community leaders and the general public
	Aimeliik	Met with community leaders and the general public
		Team B
		Departed by boat for Angaur
	Angaur	Met with community leaders and the general public
		Departed by boat for Peleliu
	Peleliu	Met with community leaders and the general public
		Departed by boat for Koror

Date	Place	Activities
4 February	Koror	Attended a working luncheon given by the President of Palau and senior officials
5 February	Koror	Met with Chief Justice of Palau
		Met traditional leaders
		Observed preparations and arrangements for polling day
		Met representatives of Kltal Reng
		Met representatives of Otil A Belaud
6 February	Koror	The Mission formed five teams: teams A, B, C, D and E
		Team A
	Koror and Airai	Observed polling places
		Team B
		Departed by boat for Eastern Babelthuap
	Eastern Babelthuap	Observed polling places in Ngchesar, Ngerngesang, Ngersuul (Ngchesar State); Melekeok; Ngiwal
		Departed by boat for Koror
		Team C
		Departed by boat for Western Babelthuap
	Western Babelthuap	Observed polling places in Imeong, Ngermetengel (Ngeremlengui State); Ngardmau; Ollei, Yebukel, Mengellakl (Ngarchelong State); Choll, Ngebuked, Ulimang, Elab, Ngkeklau (Ngaraard State)
		Team D
		Departed by car for central Babelthuap
	Central Babelthuap	Observed polling places in Ibobang and Ngatpang (Ngatpang State); Ngerkeai and Ngchemiangel (Aimeliik State)

Date	Place	Activities
6 February (continued)		Team E
		Departed by air for Angaur
	Angaur	Observed polling place in Angaur
		Departed by air for Peleliu
	Peleliu	Observed polling place in Peleliu
		Departed by boat for Koror
	Koror	Mission as a whole observed counting and tabulation of votes
7 February	Koror	Mission observed counting and tabulation of votes
8 February	Koror	Mission observed counting and tabulation of votes
9 February	Koror	Mission continued its observation of the counting and tabulation of votes
		Mission met with the Referendum Commissioner
		Mission met with members of the Olbiil Era Kelulau
		Mission met with the President of Palau
		Mission met with the Vice-President of Palau/Chairman of the Political Education Committee
10 February	Koror	Mission continued its observation of the counting and tabulation of votes
		Mission departed by air for Guam, Honolulu and New York



MAP NO. 3065 Rev. 7 UNITED NATIONS
MARCH 1990

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CORRIGENDUM

FIFTY-SEVENTH SESSION
(May-June 1990)

Ref.: Supplement No. 1
(T/1942)
May 1990

Official Records

NEW YORK

REPORT OF THE UNITED NATIONS VISITING MISSION TO OBSERVE THE PLEBISCITE IN PALAU, TRUST TERRITORY OF THE PACIFIC ISLANDS, FEBRUARY 1990

Corrigendum

Page iii, contents, chapter III

Page 3, chapter III

The title should read

BACKGROUND AND PURPOSE OF THE 6 FEBRUARY PLEBISCITE

Litho in United Nations, New York

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